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6 Attorney for:
PRUDENCIO VALDEZ-SANCHEZ

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 vs.
13 PRUDENCIO VALDEZ-SANCHEZ ,
14
15 Defendant.

Case No.: 2:13-CR-410-APG-PAL

STIPULATION TO CONTINUE
MOTION DEADLINES AND
TRIAL DATES
(Fourth Request)

16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
17 States Attorney, and Robert A. Bork, Assistant United States Attorney, counsel for the United States
18 of America, and Rene L. Valladares, Federal Public Defender, and BREND A WEKSLER, Assistant
19 Federal Public Defender, counsel for PRUDENCIO VALDEZ-SANCHEZ, that the calendar call
20 currently scheduled for Wednesday, September 24, 2014 at 8:45 a.m., and the trial currently
21 scheduled for Monday, September 29, 2014 at 9:00 a.m., be vacated and set to a date and time
22 convenient to this court but no longer than sixty (60) days.

23 IT IS FURTHER STIPULATED AND AGREED, that the parties herein shall have to and
24 including September 9, 2014, by the hour of 4:00 p.m., within which to file any and all pretrial
25 motions and notices of defense.

26 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall
27 have to and including September 23, 2014, by the hour of 4:00 p.m., within which to file any and
28 all responsive pleadings.

1 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall
2 have to and including September 30, 2014, by the hour of 4:00 p.m., within which to file any and
3 all replies to dispositive motions.

4 This Stipulation is entered into for the following reasons:

5 1. The client is in custody but does not oppose the continuance.

6 2. Since the filing of the previous stipulation, undersigned defense has sought additional
7 information from the client's family members in preparation for trial, but is still awaiting some
8 documentation.

9 3. The additional time requested herein is not sought for purposes of delay, but merely
10 to allow counsel for the defendant sufficient time to complete investigation, prepare and submit
11 appropriate pretrial motions.

12 4. Denial of this request for continuance would deny counsel for the defendant sufficient
13 time to effectively and thoroughly prepare and submit pretrial motions and notices of defense, taking
14 into account the exercise of due diligence.

15 5. Additionally, denial of this request for continuance could result in a miscarriage of
16 justice. The additional time requested by this Stipulation is excludable in computing the time within
17 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
18 Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the factors
19 under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

20 6. This is the fourth stipulation to continue filed herein.

21 DATED: July 7, 2014

22
23 RENE L. VALLADARES
24 Federal Public Defender

DANIEL G. BOGDEN
United States Attorney

25 By: /s/ Brenda Weksler
26 BREND A WEKSLER,
Assistant Federal Public Defender

By: /s/ Robert A. Bork
ROBERT A. BORK,
Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PRUDENCIO VALDEZ-SANCHEZ ,

Defendant.

Case No.: **2:13-CR-410-APG-PAL**

FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The client is in custody but does not oppose the continuance.
2. Since the filing of the previous stipulation, undersigned defense has sought additional information from the client's family members in preparation for trial, but is still awaiting some documentation.
3. The additional time requested herein is not sought for purposes of delay, but merely to allow counsel for the defendant sufficient time to complete investigation, prepare and submit appropriate pretrial motions.
4. Denial of this request for continuance would deny counsel for the defendant sufficient time to effectively and thoroughly prepare and submit pretrial motions and notices of defense, taking into account the exercise of due diligence.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).
6. This is the fourth stipulation to continue filed herein.

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1 For all of the above-stated reasons, the ends of justice would best be served by a continuance
2 of the motion and trial dates.

3 **CONCLUSIONS OF LAW**

4 The ends of justice served by granting said continuance outweigh the best interest
5 of the public and the defendant in a speedy trial, since the failure to grant said continuance would
6 be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
7 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
8 account the exercise of due diligence.

9 The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United
10 States Code, §§ 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, § 3161 (h)(7)(A),
11 when considering the facts under Title 18, United States Code, §§ 3161(h)(7)(B) and
12 3161(h)(7)(B)(iv).

13 **ORDER**

14 IT IS THEREFORE ORDERED, that the parties herein shall have to and including
15 September 9, 2014, by the hour of 4:00 p.m., within which to file any and all pretrial motions and
16 notices of defense.

17 IT IS FURTHER ORDERED, by and between the parties, that they shall have to and
18 including September 23, 2014, by the hour of 4:00 p.m., within which to file any and all responsive
19 pleadings.

20 IT IS FURTHER ORDERED, by and between the parties, that they shall have to and
21 including September 30, 2014, by the hour of 4:00 p.m., within which to file any and all replies to
22 dispositive motions.

23 IT IS FURTHER ORDERED that trial briefs, proposed voir dire questions, proposed
24 jury instructions, and a list of the Government's prospective witnesses must be submitted to the
25 Court by 12:00 p.m., November 12, 2014.

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1 IT IS FURTHER ORDERED that the calendar call currently scheduled for
2 Wednesday, September 24, 2014 at 8:45 a.m., be vacated and continued to
3 November 12, 2014 at 8:45 a.m., Courtroom 6C.

4 and the trial currently scheduled for Monday, September 29, 2014 at 9:00 a.m., be vacated and
5 continued to November 17, 2014 at 9:00 a.m., Courtroom 6C.

6
7 DATED 8th day of July, 2014.

8
9 
10 UNITED STATES DISTRICT JUDGE